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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/832,966

04/11/2001

Louis Amadio

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06/14/2006

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,966

Applicant(s)

AMADIO ET AL.

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20 and 40-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20 and 40, 42-45, 47-50, 52-55, 57, and 58 is/are rejected.
- 7) ☐ Claim(s) 41, 46, 51, and 56 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Non-Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 4-03-2006.

2. Claims 20 and 40-58 have been examined.

Status of Claims:

3. Claims 20 and 40, 42-45, 47-50, 52-55, 57, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poole, "*Mac OS 8.5 Bible*", and Patty and Rick Winter, "Using Microsoft Office 95" Second Edition", hereinafter Winter.

4. Claims 41, 46, 51, and 56 are objected to as being dependent upon a rejected base claim.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 49-58 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. No support could be found in the specification or the provisional document for the dedicated memory locations for each the first and second property values.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 20 and 40, 42-45, 47-50, 52-55, 57, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poole, "*Mac OS 8.5 Bible*", and Patty and Rick Winter, "*Using Microsoft Office 95*" Second Edition", hereinafter Winter.

9. With regard to claims 20 and 44, which teaches an operating system configure to support a plurality of types, a method of displaying a plurality of files, a first file having a first file type and a second file having a second file type, Poole teaches, on pages 81-84 and 131, the use of the Mac Operating System (Mac OS) in displaying a listing of files of a plurality of file types. Pool further teaches, in figure 6-17, a first file being a Microsoft Word type item, and a second item being a Photoshop type item (as is defined by the image next to the Name and the associated Kind label). With regard to claim 20, which teaches a set of relevant properties of each file being stored by the operating system, Poole teaches, on pages 130 and 131, a set of relevant textual properties being stored for each item, in the Name, Kind, Label, Date Modified, Size (and associated assignable Label values), etc. With regard to claims 20 and 44, which teaches associating a first property with the first file type and associating a second property with the second file type, wherein the second property is different from the first property, Poole teaches, on

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pages 130 and 131, associating properties with file types in several different ways.

First, the OS allowing for user selection of a textual "Label" to associate with item types differentiating on item form another ("Essential" assigned to the <Fund Raiser> file and the <Quarterly Report rev1> file with "Cool" assigned to the <Shoes> file). Another association is given by associating a Kind to each item (items with the W icon (for Word) are associated with the "Microsoft Word 1x-5x document" Kind and items with the icon with the eye (for Photoshop) are associated with the "Photoshop graphic" Kind). Finally an association is given to each item relating to the file type by placing a particular graphical depiction representing the type of file to the left of the file name (placing "a folder icon" adjacent to "Urgent Items", "Active Projects", etc.; and a different icon for each other type, a "page with a W over it" next to a "Microsoft Word Document", etc). It is further noted that with Poole's "Label(s)" the user has the option to customize the particular label to state any thing they desire, in this case for items in the "Active Projects" folder they assigned two "alias" Kind items as "Project 1" (see page 131 and 132). With regard to claims 20 and 44, further teach displaying a first value of the first property at a location relative to a first graphical representation of the first file, and displaying a second value of the second property at a location relative to a second graphical representation of the second file, Poole teaches, on pages 130 and 131 specifically figure 6-17, displaying the associated value for a property at a location adjacent to the graphical representation of the file. Pool further has the ability to be able to selectively display the category of properties, or not display the category (see page 81), furthermore some of the properties are not relevant to a particular item (Size is

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shown to now be relevant to the folder type elements, but relevant for other content items, caret icons are relevant for folders, but not the other content items, etc.) (see page 86).

10. Poole, however, doesn't teach the association of a property value to a file type being done by the operating system. Winter teaches a similar system for displaying a list of items of differing properties (specifically a name property) see pages 29 and 32, but further teaches the operating system defining a property value (name) for a file type where it defines a Document number (Document#) for a Word file and a Workbook number (Book#) for a Excel file (see pages 54 and 205), this naming being located directly adjacent to the graphical depiction of the file. It would have been obvious to one of ordinary skill in the art, having the teachings of Poole and Winter before him at the time the invention was made to modify named files of Poole to be system defined, as in Winter. One would have been motivated to make such a combination because both Macs and Windows use similar text editors and spreadsheet generators where an automatic default file name generator would assist a user in creating new files.

11. With regard to claims 40, 45, 50, and 55, which teaches the value corresponding to the first property for the first file and the value corresponding to the second property for the second file area authored by the operating system, Winter teaches, the operating system defining a property value for a file type where it defines a Document number (Document#) for a Word file and a Workbook number (Book#) for a Excel file (see pages 54 and 205)

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12. With regard to claims 42 and 47 which teach the set of relevant properties for the first file type being different from the set of relevant properties for the second file type, Poole has the ability to be able to selectively display the category of properties, or not display the category (see page 81 and page 116), furthermore some of the properties are not relevant to a particular item (Size is shown to now be relevant to the folder type elements, but relevant for other content items, caret icons are relevant for folders, but not the other content items, etc.) (see page 86). Using Poole's "Labels" the user has the option to customize the particular label to state any thing they desire, in this case for items in the "Active Projects" folder they assigned two "alias" Kind items as "Project 1" (see page 131 and 132). This shows that the user has the ability to decide which items are in the relevant group and or create items that pertain to the type.

13. With regard to claims 43, 48, 53, and 58, which teaches the first property and the second property being textual properties, Poole teaches, on pages 130 and 131, the property associated with the first and second item being one of a textual description of a Label or a textual description of a Kind.

14. With regard to claims 52 and 57 which teach the first and second enumerated properties being graphical properties, Poole teaches, on page 131, the operating system associating a graphic to each item (items with the W icon (for Word) are associated with the "Microsoft Word 1x-5x document" Kind and items with the icon with the eye (for Photoshop) are associated with the "Photoshop graphic" Kind).

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15. With regard to claims 49 and 54, which teaches in an operating a method of displaying a plurality of files comprising: dedicated memory locations for storing, by said operating system, a value of a first enumerated property, storing a value associated with a first file of a first file type; and a value of a second enumerated property, storing a value associated with a second file of a second file type different from said first file type, wherein the second enumerated property is different from the first enumerated property; displaying a graphical representation of the first file; displaying, at a location relative to the graphical representation of the first file, data based on the value stored in the first dedicated memory location, displaying a graphical representation of the second tile; and displaying, at the same location relative to the graphical representation of the second file, data based on the value stored in the second dedicated memory location, Poole teaches, on pages 81-84 and 131, the use of the Mac Operating System (Mac OS) in displaying a listing of files of a plurality of file types. Pool further teaches, in figure 6-17, a first file being a Microsoft Word type item, and a second item being a Photoshop type item (as is defined by the image next to the Name and the associated Kind label). Poole further teaches, on pages 130 and 131, a set of relevant textual properties being stored for each item, in the Name, Kind, Label, Date Modified, Size (and associated assignable Label values), etc. Poole further teaches, on pages 130 and 131, associating properties with file types in several different ways. First, the OS allowing for user selection of a textual "Label" to associate with item types differentiating on item form another ("Essential" assigned to the <Fund Raiser> file and the <Quarterly Report rev1> file with "Cool" assigned to the <Shoes>

file). Another association is given by associating a Kind to each item (items with the W icon (for Word) are associated with the "Microsoft Word 1x-5x document" Kind and items with the icon with the eye (for Photoshop) are associated with the "Photoshop graphic" Kind). Finally an association is given to each item relating to the file type by placing a particular graphical depiction representing the type of file to the left of the file name (placing "a folder icon" adjacent to "Urgent Items", "Active Projects", etc.; and a different icon for each other type, a "page with a W over it" next to a "Microsoft Word Document", etc). It is further noted that with Poole's "Label(s)" the user has the option to customize the particular label to state any thing they desire, in this case for items in the "Active Projects" folder they assigned two "alias" Kind items as "Project 1" (see page 131 and 132). Poole teaches, on pages 130 and 131 specifically figure 6-17, displaying the associated value for a property at a location adjacent to the graphical representation of the file. Pool further has the ability to be able to selectively display the category of properties, or not display the category (see page 81), furthermore some of the properties are not relevant to a particular item (Size is shown to now be relevant to the folder type elements, but relevant for other content items, caret icons are relevant for folders, but not the other content items, etc.) (see page 86).

16. Poole, however, doesn't teach the association of a property value to a file type being done by the operating system. Winter teaches a similar system for displaying a list of items of differing properties (specifically a name property) see pages 29 and 32, but further teaches the operating system defining a property value (name) for a file type where it defines a Document number (Document#) for a Word file and a Workbook

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number (Book#) for a Excel file (see pages 54 and 205), this naming being located directly adjacent to the graphical depiction of the file. Winter further teaches a location for storing the associations (see page 205). It would have been obvious to one of ordinary skill in the art, having the teachings of Poole and Winter before him at the time the invention was made to modify named files of Poole to be system defined, as in Winter. One would have been motivated to make such a combination because both Macs and Windows use similar text editors and spreadsheet generators where an automatic default file name generator would assist a user in creating new files.

Allowable Subject Matter

17. Claims 41, 46, 51, and 56 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. This claims show the novel feature of a two property that can't be assigned by the user being displayed for two files in the same relative location, where the two properties are of a different property type.

Response to Arguments

18. The arguments filed on 4-03-2006 have been fully considered, but they are not persuasive. Reasons are set forth below.

19. Applicant's argument with respect to this feature has been considered but is moot in view of the new ground(s) of rejection.


Conclusion

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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dgb


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PRIMARY EXAMINER
ART UNIT 2173